



JPW

PATENT

Attorney Docket 054160-5012-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Toshikazu Hamamoto *et al.***)
)
Application No. **10/731,633**) Group Art Unit: **1745**
)
Filed: **December 9, 2003**) Examiner: **Unassigned**
)
For: **Non-Aqueous Electrolyte and Lithium**)
 Secondary Battery Using the Same)

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TRANSMITTAL FORM

1. Transmitted herewith is a Second Preliminary Amendment.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16):

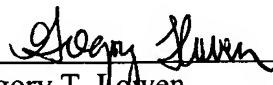
CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	17	minus	20	0	at \$18 each =	0.00
Independent Claims	2	minus	3	0	at \$86 each =	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$0.00

4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17

which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **June 22, 2004**
Morgan, Lewis & Bockius LLP
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Respectfully submitted,
Morgan, Lewis & Bockius LLP



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USING THE SAME)

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Date: June 22, 2004

Sir:

SECOND PRELIMINARY AMENDMENT

Prior to examination of the above-referenced application on the merits, please amend the subject application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 7 of this paper.